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January 31, 2008

The Honorable Mary Pat Thyng  
United States District Court  
for the District of Delaware  
844 King Street  
Wilmington, DE 19801

**BY E-FILING**

Re: *Honeywell, et al. v. Apple Computer, et al.*,  
C.A. No. 04-1338-\*\*\* (Consolidated)

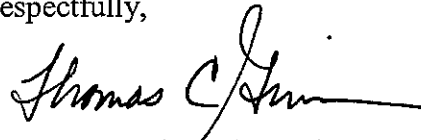
Dear Judge Thyng:

Because fact discovery closes today pursuant to the Scheduling Order in this case, I am writing to inform the Court of two potential discovery disputes between Honeywell and Optrex in this matter. We advised counsel for Optrex that we would be sending this letter.

As it currently stands, Honeywell is still discussing these issues with Optrex and does not believe that the "meet and confer" process has been completed. Nevertheless, given that fact discovery is set to close today, Honeywell simply wants to preserve these issues, should the parties not be able to reach a resolution. The first issue relates to documents associated with the historical work of a witness retained by Optrex, Kevin Hathaway. The second relates to the production of a witness by Optrex in response to a 30(b)(6) notice served upon Optrex in December.

We will advise the Court if the parties' ongoing efforts to resolve these issues are not successful and we need to submit them to the Court for resolution.

Respectfully,



Thomas C. Grimm (#1098)

TCG

cc: Dr. Peter T. Dalleo, Clerk (by hand)  
CM/ECF list (by e-filing)  
Non-Stayed Defendants (by e-filing & e-mail)  
Karen L. Pascale, Esq. (by e-filing & e-mail)